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OPEN MEETING AGENDA ITEM

Richard L. Sallquist  
Sallquist & Drummond, P.C.  
4500 South Lakeshore Drive  
Suite 339  
Tempe, Arizona 85282  
Phone: (480) 839-5202  
Fax: (480) 345-0412

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AZ CORP COMMISSION  
DOCUMENT CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION  
OF ARIZONA UTILITY SUPPLY &  
SERVICES FOR THE TRANSFER OF A  
PORTION OF ITS CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO  
JOHNSON UTILITIES, L.L.C.

DOCKET NO. SW-04002A-02-0837  
DOCKET NO. WS-02987A-02-0837

IN THE MATTER OF THE APPLICATION  
OF ARIZONA UTILITY SUPPLY &  
SERVICES L.L.C. TO TRANSFER ITS  
ASSETS AND CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO  
JOHNSON UTILITIES, L.L.C.

DOCKET NO. SW-04002A-04-0465  
DOCKET NO. WS-02987A-04-0465

EXCEPTIONS

Johnson Utilities LLC, ("Johnson" or the "Company") by and through undersigned counsel, herewith files the Company's Exceptions to the Recommended Opinion and Order in the subject Docket dated October 3, 2006.

1. Company supports all provisions of the Recommended Order, but requests that an additional ordering paragraph be added.

2. Johnson has acquired all of the facilities of Utility Supply & Services, LLC, ("AUSS") to serve the subject area. Those facilities, and AUSS' operation of those facilities, raised many issues with the Arizona Department of Environmental Quality and the Commission.

All outstanding issues with both agencies have been favorably resolved, and Johnson would like

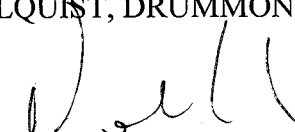
1 to be certain that the prior Commission conditions and compliance matters pertaining to those  
2 facilities are extinguished.

3 3. Therefore, the Company proposes an additional ordering Paragraph be inserted in  
4 the Recommended Order to the following effect:

5 IT IS FURTHER ORDERED that all Decisions of this Commission  
6 establishing or imposing conditions or compliance requirements associated with  
7 the facilities previously owned and operated by AUSS, which facilities are now  
8 owned and operated by Johnson, are hereby withdrawn.

9 RESPECTFULLY submitted this 10<sup>th</sup> day of October 2006.

10 SALLQUIST, DRUMMOND & O'CONNOR, P.C.

11 By:   
12 Richard L. Sallquist  
13 4500 South Lakeshore Drive, Suite 339  
14 Tempe, Arizona 85282  
15 Phone: (480) 839-5202  
16 Fax: (480) 345-0412

17 Original and fifteen copies of the  
18 foregoing filed this 10<sup>th</sup> day  
19 of October 2006:

20 Docket Control  
21 Arizona Corporation Commission  
22 1200 West Washington  
23 Phoenix, Arizona 85007

A copy of the foregoing  
mailed/hand delivered this  
10<sup>th</sup> day of October 20056 to:

Brian C. McNeil  
Arizona Corporation Commission  
Executive Secretary  
1200 West Washington Street  
Phoenix, Arizona 85007

1 Hearing Division  
Arizona Corporation Commission  
2 1200 West Washington  
Phoenix, Arizona 85007

3 Utilities Division  
4 Arizona Corporation Commission  
1200 West Washington  
5 Phoenix, Arizona 85007

6 Legal Division  
Arizona Corporation Commission  
7 1200 West Washington  
Phoenix, Arizona 85007

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